

REMARKS

Claims 1-3 and 5-20 are pending in the present application. Claims 1, 6, 8-13, and 16-19 were amended; claim 4 was cancelled; and claim 20 was added. Independent claims 1, 6, 8, 11, 13, and 16-19 were amended to incorporate a feature of dependent claim 4 which was cancelled. Support for new claim 20 is located in the Specification on page 25, lines 4-7. Reconsideration of the claims is respectfully requested.

I. 35 U.S.C. § 101

The Examiner has rejected claims 16-18 under 35 U.S.C. § 101 as being directed towards non-statutory subject matter. Based on a suggestion by the Examiner, claims 9 and 16-19 were amended accordingly. Therefore the rejection of claims 16-18 under 35 U.S.C. § 101 has been overcome.

II. 35 U.S.C. § 112, Second Paragraph

The Examiner has rejected claims 16-18 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter, which applicants regard as the invention. Based on a suggestion by the Examiner, claims 9 and 16-19 were amended accordingly. Therefore the rejection of claims 16-18 under 35 U.S.C. § 112, second paragraph has been overcome.

III. 35 U.S.C. § 103, Alleged Obviousness, Claims 1-20

The Examiner has rejected claims 1-19 under 35 U.S.C. Section 103(a) as being allegedly unpatentable over *Alexander* (U.S. Patent No. 6,262,728) in view of *Eintracht et al.* (U.S. Patent No. 6,286,001). This rejection is respectfully traversed.

With regard to claim 1 being allegedly unpatentable over *Alexander* in view of *Eintracht*, the Examiner states:

With respect to independent claims 1, 6, 8, 11, 13, and 16-19, *Alexander* discloses a computer system for annotating a graphical user interface display. In his detailed description, *Alexander* uses the term "annotation label", which refers to a window that is displayed on a display with a graphical user interface and/or an operating system (column 9; lines 5-7), while the current inventor prefer to use the term "*annotation object*". Both concepts are identical.

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Alexander's computer system is comprised of a *display unit* (column 8, lines 7-8; 112 in Fig 1), preferably a liquid crystal display, for displaying the application window/annotating application; a Label Control Unit (*window shaping unit*), which provides the operator the capability of determining the shape, size, appearance, and location/position of the annotation object/window (column 2, lines 51-54; column 10, lines 45-50; 204 in Fig 2) within the application window or the graphical user interface display. While Alexander uses a Label Control Unit to perform these multiple operations (shape, size, appearance, and location/position) on the annotated object/window, the current inventor uses separate units/modules for each operation (*window shaping unit and location selector*); dialog boxes/display windows (*object selector*) are used to *select an annotation object that is additionally written in* (column 2, lines 52-53; column 9, lines 30-33; column 11, lines 9-12). Newly created annotation labels (annotated windows/objects) are located at the location of the cursor. If this cause an overlay of annotation labels at the same location, the newly created labels are displayed in a cascaded fashion (column 17, lines 5-11). With this disclosure, it would be inherent that the annotated object would be displayed in a window having a *TOPMOST attribute*; computer program methods/*sub-routines* (program instructions) for processing/performing different tasks required for creating, modifying, locating, positioning, and displaying the annotation object/window. These software routines are usually stored in memory, and/or disk storage devices, or any other *computer readable medium* such as a compact disc or magnetic tape. Using any of these mediums, the software sub-routines (program instructions) may be loaded into the computer system (column 8; lines 45-49; 117 in Fig 1; 350 in Fig 3B; 352 in Fig 3B; 354 in Fig 3B). In the current invention claims, the computer system *stores the annotation object formed without dependence on an application that constructed said application window*. Alexander discloses that his invention is not limited to a particular computer platform, operating system, processor, or high level programming language (column 8, lines 57-61). With this disclose, it would be inherent that Alexander's invention also executes independently of the application that constructed the application window within the computer system.

Alexander does not disclose expressly *transmitting to said plurality of interconnected hosts a request event for sharing of said annotation object, so that said annotation object can be shared by said plurality of hosts*.

However, Eintracht et al discloses a system that provides collaborative document annotation by remote users, whereby notes or annotations associated with a document are stored on a web server (column 2, lines 8-11). Clients/*hosts* are able to create, store, edit, and retrieve annotations related to specific documents located on the server. When annotations are posted to the server, the database is synchronized such that other clients can retrieve the current up-to-date annotations (column 2, lines 59-61). Once the user synchronizes the database with his/her changes, the server transmits back an acknowledgement along with any new notes that other clients may have posted since the last synchronization was performed (column 2, lines 44-45). Eintracht's system also has an option whereas the server can be adapted to trigger one or more alarms in response to a

change being made in the database. Those clients that wish to be notified in the event of a database change (*a request event for sharing of said annotation object*) at the server can be notified by visual indications, audio, and/or email (column 2, lines 63-67).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to combine Eintracht's teaching of collaborating annotated documents with Alexander's teaching of annotating a graphical interface display, for the benefit of a host computer/client being able to collaborate with other clients within the same network to share annotations, modifications, updates, or provide various information within an application remotely.

With respect to dependent claim 4, Alexander discloses the annotation system generates a move label (annotation object) command to the Control Label Unit to change the location of the annotated label (annotation object) from the default location if there is a position conflict (column 16, lines 57-61). It is also possible to position the annotated label (annotation object) by positioning the cursor over a desired annotation label and graphically move it to a desired location within the display region (column 16, line 67; column 17, lines 1-2; column 17, lines 42-44).

(*Office Action*, dated October 17, 2005, pages 5-9, emphasis in the original). Amended independent claim 1, which is representative of amended independent claims 6, 8, 11, 13, and 16-19 with regard to similarly recited subject matter, recites:

1. An annotation method for collaboration among a plurality of interconnected hosts, comprising the steps of:
 - annotating an application window that is displayed on a display unit;
 - forming or selecting an annotation object that is constructed separately from an application that constructs said application window, wherein said annotation object comprises *an animated annotation object*;
 - determining a display position for said annotation object and displaying said annotation object thereat; and
 - transmitting to said plurality of interconnected hosts a request event for sharing of said annotation object, so that said annotation object can be shared by said plurality of interconnected hosts. (emphasis added)

The Examiner bears the burden of establishing a *prima facie* case of obviousness based on prior art when rejecting claims under 35 U.S.C. § 103. *In re Fritch*, 972 F.2d 1260, 23 U.S.P.Q.2d 1780 (Fed. Cir. 1992). For an invention to be *prima facie* obvious, the prior art must teach or suggest all claim limitations. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). The *Alexander* and *Eintracht* references cited by the Examiner do not render obvious the present invention as recited in independent claims 1, 6, 8, 11, 13, and 16-20 because the references fail to teach or suggest all claim limitations.

Claim 1 recites "an animated annotation object," a feature not taught or suggested in *Alexander* or *Eintracht*. The Examiner alleges that *Alexander* teaches wherein an annotation object is an object possessing mobility in the following cited sections:

If there is a positional conflict, annotation system 118 generates a move label command 240 to label control unit 204 which has most recently been created to change the location of the associated annotation label from the default location (waveform display region origin) to another location. In one preferred embodiment, the position of the newly created annotation labels are offset from the previously created annotation labels to create a cascaded rendering of the new labels. This provides a sufficient amount of exposed area of each annotation label so that the operator can easily position the cursor over a desired annotation label and graphically move it to a desired location within the waveform display region 504.

(*Alexander*, column 16, line 57, to column 17, line 2).

Generally, the operator drags an existing annotation label 802 across waveform display 504 using the pointing device provided. This information is provided in a mouse motion command 252 generated by graphical user interface 116.

(*Alexander*, column 17, lines 42-44). Nothing in *Alexander* teaches or suggests an animated annotation object. The referenced sections in *Alexander* teach an annotation label that is statically located at a default location within a waveform display region and that the annotation label may be relocated to another location where the annotation label remains static. An animated annotation object differs from an object that is static at various optional static locations in that the animated annotation object creates the appearance of movement. When an animated annotation object creates the appearance of movement, the animated annotation object draws attention to a specific portion of an application window in a manner different from a non-animated annotation object.

Alexander defines the purpose for annotation labels, which are similar to annotation objects:

Generally, the annotation system enables an operator to generate a graphical annotation label containing any desired data, and to graphically position the annotation label at any desired location on the display, enabling the operator to positionally associate the graphical annotation label with a desired graphical element displayed on the graphical user interface.

(*Alexander*, column 1, line 67, to column 2, line 6). The figures in *Alexander* illustrate several examples of graphical user interfaces using graphical annotation labels to enable

an operator to positionally associate the graphical annotation labels with desired graphical elements displayed on the graphical user interfaces. When multiple graphical elements crowd the graphical user interface, a graphical annotation label may not enable an operator to positionally associate the graphical annotation label with a desired graphical element immediately. The operator may have to scan the graphical user interface for a significant amount of time before recognizing the association.

An animated annotation object solves this problem for graphical user interfaces, or application windows, crowded with multiple graphical elements. An animated annotation object uses animated movement to immediately draw attention to a specific portion of an application window in a situation when a annotation object that is not animated may fail to immediately draw attention to a specific portion of an application window.

Eintracht does not cure the deficiencies in *Alexander*. *Eintracht* does not teach or suggest an animated annotation object, as recited in claim 1 of the present invention. As described above, *Alexander* does not teach this feature. Similar to the teachings of *Alexander*, *Eintracht* teaches an annotation that is statically located at a location, a note anchor, and that the annotation may be relocated to another location where the annotation remains static:

An annotation or note is a portion of text or a graphical drawing that is associated with a specific location in a document. The terms annotation and note are intended to mean the same thing and are used interchangeably throughout this document. The location associated with a note in the document is called a Note Anchor and is kept separate from the annotation data itself. Once a note is created, its anchor point can be changed by the user. The note anchor is expressed in terms of (X, Y) coordinates in the annotated page of a document. A note anchor may be set to a coordinate value of (0, 0) if the document associated with the note is a logical folder.

(*Eintracht*, column 7, lines 55-66). Therefore, the combination of *Alexander* and *Eintracht* does not render claim 1 unpatentable because the combination does not describe, teach, or suggest an **animated** annotation object.

Furthermore, new claim 20 recites:

20. The annotation method according to claim 1, wherein said animated annotation object is constructed using an animated graphics interchange format or an animated applet.

Nothing in *Alexander* teaches or suggests an animated graphics interchange format or an animated applet. *Eintracht* does not cure this deficiency in *Alexander*. Consequently, the combination of *Alexander* and *Eintracht* does not render claim 20 unpatentable, because the combination does not describe, teach, or suggest an animated graphics interchange format or an animated applet.

In view of the above, independent claims 1, 6, 8, 11, 13, and 16-19 are not taught or suggested by the alleged combination of *Alexander* and *Eintracht*. Accordingly, Applicants respectfully request withdrawal of the rejection of independent claims 1, 6, 8, 11, 13, and 16-19 under 35 U.S.C. §103.

Claims 2, 3, 5, 7, 20, 9, 10, 12, 14, and 15 are dependent claims depending on independent claims 1, 6, 8, 11, and 13. Applicants have demonstrated claims 1, 6, 8, 11, and 13 to be in condition for allowance. Applicants respectfully submit that claims 2, 3, 5, 7, 9, 10, 12, 14, 15, and 20 are also allowable at least by virtue of their dependency on allowable claims.

IV. Conclusion

It is respectfully urged that the subject application is patentable over the cited references and is now in condition for allowance.

The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the Examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

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Respectfully submitted,



Stephen R. Tkacs
Reg. No. 46,430
Yee & Associates, P.C.
P.O. Box 802333
Dallas, TX 75380
(972) 385-8777
Agent for Applicants

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